

MINUTES OF MEETING – APRIL 12, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 12th day of April, 2005, the Commissioners' Court convened the regular Voting Session at 9:20 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 12:27 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:53 PM and adjourned at 1:53 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:53 PM and adjourned at 1:57 PM.

The Commissioners Court reconvened the regular Voting Session at 1:57 PM.

The Commissioners Court retired to Executive Session at 2:47 PM.

The Commissioners Court reconvened the Voting Session at 5:17 PM.

The Commissioners Court adjourned the Voting Session at 5:33 PM.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C8, and Items 6, 7, 8.A-C, 9.A-D, 10, 11.A&B, 12, 17.A&B, 18, 19, 21, 22, 23, 25, 29, 31, 32, 34, and 36. (9:41 AM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MARCH 22, 2005.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MARCH 29, 2005.
- C5.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF APRIL 26, 2005 TO RECEIVE COMMENTS REGARDING REQUEST TO TEMPORARILY CLOSE THE CUL-DE-SAC OF WESTFALIAN TRAIL IN PRECINCT THREE, FROM 12:00 P.M. TO 4:00 P.M. FOR A NEIGHBORHOOD BLOCK PARTY. (COMMISSIONER DAUGHERTY)

Clerk's Note: Judge Biscoe announced that Consent Item C6 contained a scrivener's error and that it should read "Westfalian Trail".

- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF MAY 3, 2005 TO RECEIVE COMMENTS ON REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THREE 5' PUBLIC UTILITY EASEMENTS LYING ON THE SOUTHERN SIDE OF LOT 30; THE NORTHEAST, SOUTHWEST AND SOUTHERN SIDES OF LOT 29, AND THE NORTHEAST SIDE OF LOT 28 LOCATED IN HIGHLAND CLUB VILLAGE SECTION 1 – A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

- C8.** APPROVE SETTING A PUBLIC HEARING DATE OF MAY 17, 2005 TO RECEIVE COMMENTS REGARDING THE TOTAL VACATION OF A RECORDED SUBDIVISION: CREEK VIEW SUBDIVISION, AS RECORDED IN DOCUMENT 200300236, IN PRECINCT FOUR (TOTAL PLAT VACATION – 2 LOTS – 5.0 ACRES- THAXTON ROAD - NO FISCAL REQUIRED – NO SEWAGE SERVICE PROVISION INVOLVED IN VACATION – CITY OF AUSTIN 2-MILE ETJ). (COMMISSIONER GÓMEZ)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 6.** CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: PARTIAL VACATION AND REPLAT OF LOT 5, BLOCK A, SPANISH OAKS, SECTION V (SHORT FORM PLAT – 2 LOTS – 4.6865 ACRES – SPANISH OAKS CLUB BLVD (PRIVATE) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – VILLAGE OF BEE CAVES ETJ). (COMMISSIONER DAUGHERTY) (9:41 AM)

Clerk's Note: Item 6 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 7.** CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: PARTIAL VACATION AND REPLAT OF LOT 10, BLOCK D, 11505 TX 71, PHASE 1 (SHORT FORM PLAT – 1 LOT – 1.4885 ACRES – MUSKET RIM (PRIVATE) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – VILLAGE OF BEE CAVES ETJ). (COMMISSIONER DAUGHERTY) (9:41 AM)

Clerk's Note: Item 7 is the action item for the public hearing on Agenda Item 2.

Clerk's Note: Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PARTIAL CANCELLATION OF A RECORDED SUBDIVISION: TRAVIS SETTLEMENT, SECTION ONE AS RECORDED IN BOOK 84, PAGES 24C-26B IN PRECINCT THREE, VACATION OF: (9:41 AM)
 - A. LOTS 1-4 AND THE RIGHTS OF WAY (ROW) OF SEAN AVERY PATH, NORTH DERRICK COVE AND SOUTH DERRICK COVE;
 - B. LOTS 5-31 AND 45-54 AND THE ROW OF SEAN AVERY PATH, NORTH DERRICK COVE AND SOUTH DERRICK COVE; AND
 - C. LOTS 32-44 AND 98-99 AND THE ROW OF SEAN AVERY PATH, NORTH DERRICK COVE AND SOUTH DERRICK COVE (PARTIAL PLAT VACATION – 56 LOTS AND APPROXIMATELY 4961 FEET ROW – 109.966 ACRES – BEE CREEK ROAD – NO FISCAL REQUIRED – NO SEWAGE SERVICE PROVISION INVOLVED IN VACATION – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 3.

Clerk's Note: Items 8.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR TRAVIS SETTLEMENT, A SUBDIVISION IN PRECINCT THREE: (9:41 AM)
- A. TRAVIS SETTLEMENT REVISED PRELIMINARY PLAN (39 LOTS – 89.078 ACRES – BEE CREEK ROAD – NO FISCAL POSTING IS REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) – NO MUNICIPAL ETJ);
 - B. TRAVIS SETTLEMENT, SECTION 1, PHASE 1, REPLAT OF LOTS 1-31 & 45-54, A PLAT FOR RECORDING (SHORT FORM PLAT – 1 LOT – 17.579 ACRES – BEE CREEK ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) – NO MUNICIPAL ETJ);
 - C. THE USE OF ALTERNATIVE FISCAL FOR THE OVERLOOK ON BEE CREEK, LOTS 1-6 OF THE TRAVIS SETTLEMENT SECTION 1; AND
 - D. THE USE OF CASH SECURITY AGREEMENT FOR THIS SUBDIVISION. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 9.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT THREE: RIVER DANCE, PHS. 2 REVISED PRELIMINARY PLAN (54 LOTS – 147.49 ACRES – QUINLAN PARK ROAD – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:41 AM)

Clerk's Note: Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING THE RESERVE AT TWIN CREEKS SECTION 17, A SUBDIVISION IN PRECINCT THREE: (9:41 AM)
- A. ALTERNATIVE FISCAL; AND
 - B. CASH SECURITY AGREEMENT.

Clerk's Note: Items 11.A and B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 12. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN RANCH AT DEER CREEK PHASE 3 SECTION 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:41 AM)

Clerk’s Note: Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON WALNUT CREEK EROSION ACTION PLAN. (JUDGE BISCOE, COMMISSIONER DAVIS) (10:25 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Stacey Scheffel, TNR; Melinda Mallia, Environmental Project Manager, Natural Resources, TNR; and John Kuhl, Program Manager, Natural Resources, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to have a committee do additional work on this issue; that we appoint Commissioner Davis and Commissioner Gómez to represent the Commissioners Court, along with the following County Staff members: Joe Gieselman, Executive Manager, TNR, John Kuhl, TNR, Stacy Scheffel, TNR, Melinda Mallia, TNR; and have the residents of the Walnut Creek area appoint three members to serve on the committee; and that our goal will be to further refine a strategy that fits Walnut Creek.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 14. DISCUSS AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY COMMENTS TO CAMPO BOARD OF DIRECTORS REGARDING DRAFT 2030 TRANSPORTATION PLAN. (10:21 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Discussion Only. No formal action taken.

Item 14 to be reposted on April 26, 2005.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(2:41 PM)
- A. INTERLOCAL AGREEMENT WITH THE DEL VALLE INDEPENDENT SCHOOL DISTRICT FOR IMPROVEMENTS TO FM 969 AND FM 1327;
(COMMISSIONER DAVIS, COMMISSIONER GÓMEZ)
 - B. ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENT TO FM 1327;
(COMMISSIONER GÓMEZ)
 - C. AMENDMENT NO. 1 TO THE ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO FM 969. (COMMISSIONER DAVIS)

Clerk’s Note: Items 15.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the agreements in Items 15.A-C.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ADMINISTRATIVE OPERATIONS ITEMS

- 18. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$459,522.99 FOR THE PERIOD OF MARCH 25 THROUGH MARCH 31, 2005. (9:41 AM)

Clerk’s Note: Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:41 AM)

Clerk’s Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

- 20. CONSIDER AND TAKE APPROPRIATE ACTION TO ADOPT A STRATEGY TO FILL EMERGENCY SERVICES COORDINATOR POSITION TEMPORARILY AND MAKE PERMANENT HIRE, AS JOB DUTIES AND RESPONSIBILITIES REQUIRE. (2:28 PM)

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Gómez to ask Michael Trimble, Criminal Justice Coordinator, CJP to assume this responsibility on an interim, apply our temporary pay policy to him, discuss that with him between now and next Tuesday, April 19, 2005; to post this position everywhere possible where we can post it free of charge; and do what we can do personally – ask people who may know people who are qualified to let them know about the availability, and let them apply; and decide in a week or two whether to beef up the effort.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

OTHER ITEMS

- 25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:41 AM)

Clerk’s Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 26. RECEIVE PRESENTATION OF CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY’S ANNUAL REPORT. (9:45 AM)

Members of the Court heard from: Henry Gillmore, Member, Board of Directors, Central Texas Regional Mobility Authority (CTRMA); and Mike Heiligenstein, Executive Director, CTRMA.

Discussion Only. No formal action taken.

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF COMMITTEE TO EVALUATE RESPONSES TO REQUEST FOR INFORMATION (RFI) REGARDING COLLECTION OF DELINQUENT TAXES. (10:20 AM)

Item 27 postponed until April 19, 2005.

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ELECTION SERVICES AGREEMENT WITH THE AUSTIN COMMUNITY COLLEGE DISTRICT FOR THE MAY 7, 2005 ELECTION. (10:19 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the agreement in Item 28.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE CHANGE IN A CONTRACT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE TRAVIS COUNTY TAX OFFICE REGARDING THE ISSUANCE OF VEHICLE REGISTRATION STICKERS. (9:41 AM)

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TRAVIS COUNTY HISTORICAL COMMISSION TO ADMINISTER A GRANT TO UPDATE HISTORIC BUILDINGS IN TRAVIS COUNTY. (9:43 AM)

Item 30 pulled from the Agenda.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN FOR REIMBURSEMENT OF OVERTIME EXPENDITURES BY THE SHERIFF'S OFFICE DURING THE COURSE OF PARTICIPATION IN THE HUMAN TRAFFICKING LAW ENFORCEMENT TASK FORCE JOINT INVESTIGATIVE PROJECT. (9:41 AM)

Clerk's Note: Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A RESOLUTION SUPPORTING THE APPLICATION OF TRAVIS COUNTY HOUSING FINANCE CORPORATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR AMERICAN DREAM DOWNPAYMENT INITIATIVE FUNDS TO PROVIDE HOMEBUYER ASSISTANCE FOR LOW AND MODERATE INCOME FIRST-TIME HOMEBUYERS. (9:41 AM)

Clerk's Note: Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. UPDATE COMMISSIONERS COURT ON STATUS OF PILOT PROJECT WITH MUNICIPAL SERVICES BUREAU AND REQUEST ADDITIONAL FUNDS TO COMPLETE FY 05. (11:01 AM)

Members of the Court heard from: Melissa Goodwin, Justice of the Peace, Precinct 3; Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO); Barbara Wilson, Assistant County Attorney; David Escamilla, Travis County Attorney; Richard McCain, Constable, Precinct 3; and Stacy Suits, Chief Deputy, Constable, Precinct 3.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to authorize up to \$50,000.00 to continue this program through the end of this fiscal year, conditioned upon the Constable’s Office being given 120 days after issuance of the warrant to work the cases; and that the Constable and Justice of the Peace be encouraged to continue working to perfect this pilot project.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

34. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AMEND CHAPTER 11 OF THE TRAVIS COUNTY CODE: POLICIES AND PROCEDURES FOR PARKING AND PASSENGER SHUTTLE SERVICES TO ADDRESS PARKING PERMITS FOR ELECTION WORKERS STAFFING THE UNIVERSITY OF TEXAS EARLY VOTING POLLING SITE. (9:41 AM)

Clerk’s Note: Item 34 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR THE HUMAN RESOURCES MANAGEMENT DEPARTMENT TO CONDUCT CLASSIFICATION REVIEW OF THE EXECUTIVE ASSISTANT AND ADMINISTRATIVE ASSOCIATE TITLES IN THE OFFICES OF THE COMMISSIONERS COURT. (COMMISSIONER DAVIS) (2:08 PM)

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Davis to go ahead with the classification review of the Executive Assistants and the Administrative Associates for Travis County Staff and to come back with revised language to include the whole Administrative Support job family.

Clerk's Note: The Motion died for lack of a Second.

Discussion Only. No formal action taken.

Item 35 to be reposted on April 19, 2005.

36. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT BY INSURANCE COMPANY FOR WATER LOSS EVENT AT 5501 AIRPORT BLVD. OCCURRING ON JUNE 25, 2004. (9:41 AM)

Clerk's Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

TO BE TAKEN UP AT 11:00 A.M.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 79TH TEXAS LEGISLATURE. (A LIST MAY BE OBTAINED FROM ANY MEMBER OF THE TRAVIS COUNTY COMMISSIONERS COURT.) (11:34 AM)

Clerk’s Note: The Court discussed House Bill 420 (HB420): Relating to the eligibility of certain persons for the temporary assistance for needy families and food stamp programs.

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to support House Bill 420.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Court discussed House Bill 967 (HB967): Relating to administration of the criminal history record system.

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP).

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to support House Bill 967.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 37 CONTINUED

Clerk’s Note: The Court discussed House Bill 2758 (HB2758) and the companion Senate Bill 1542 (SB1542): Relating to certain permitting procedures of the Texas Commission on Environmental Quality.

Members of the Court heard from: Scheleen Walker, Senior Planner, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to comment on specific cases before the Texas Commission on Environmental Quality where we found it necessary to intervene on behalf of Travis County residents, highlight those and why we think it was important for Travis County to have input, and to conclude by saying that we think this closes out the public inappropriately.

A Friendly Amendment to the previous Motion was made by Commissioner Davis to alert the Travis County Delegation in the form of a letter.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

An Addition to the previous Motion was made by Judge Biscoe to send a letter from the Commissioners Court to the bill’s sponsors, members of the Environmental Regulation Committee, and the Travis County Legislative Delegation.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Court received updates on the following proposed legislation Senate Bill 574 (SB574) and the companion House Bill 2748 (HB2748): Relating to requirements for the issuance of land development permits by political subdivisions.

Members of the Court heard from: Scheleen Walker, Senior Planner, TNR; and Tom Nuckols, Assistant County Attorney; Bob Kamm, Travis County Legislative Consultant.

Discussion Only. No formal action taken.

ITEM 37 CONTINUED

Clerk’s Note: The Court discussed Senate Bill 848 (SB848) and the companion House Bill 1704 (HB1704): Relating to the approval of certain permit applications by local governments.

Members of the Court heard from: Scheleen Walker, Senior Planner, TNR; and Tom Nuckols, Assistant County Attorney; Bob Kamm, Travis County Legislative Consultant.

Motion by Judge Biscoe and seconded by Commissioner Gómez to push the substantive completeness definition of fair notice and oppose Senate Bill 848 until the change to the language is made; and to send a letter to the Travis County Legislative Delegation and urge the Texas Association of Counties (TAC) and the Conference of Urban Counties (CUC) to contact their delegation members immediately.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Court discussed House Bill 2833 (HB2833) and the companion Senate Bill 1647 (SB1647): Relating to the protection of private real property from regulatory takings.

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; and Scheleen Walker, Senior Planner, TNR.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to authorize Staff to work with the Conference of Urban Counties (CUC) and Texas Association of Counties (TAC) on these issues; and to discuss this proposed legislation with all interested and affected Travis County residents.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 37 CONTINUED

Clerk's Note: The Court discussed House Bill 2989 (HB2989): Relating to the applicability of limitations provisions for governmental entities.

Members of the Court heard from: John Hille, Assistant County Attorney.

Clerk's Note: The Court without objection gave directions to monitor the proposed legislation House Bill 2989.

Discussion Only. No formal action taken.

Clerk's Note: The Court discussed House Bill 3071 (HB3071): Relating to the administration and collection of ad valorem taxes; making procedural and technical corrections and clarifications to the Tax Code, Property Code, Business & Commerce Code, and Civil Practice and Remedies Code, and to the repeal of a Transportation Code provision.

Members of the Court heard from: David Escamilla, Travis County Attorney.

Discussion Only. No formal action taken.

Clerk's Note: The Court discussed House Bill 2759 (HB2759): Relating to providing a uniform limit on the population of a county election precinct.

Discussion Only. No formal action taken.

ITEM 37 CONTINUED

Clerk’s Note: The Court discussed Revenue Caps, and Senate Bill 18 (SB18): Relating to the adoption of an ad valorem tax rate by a taxing unit other than a school district. The Court also discussed approving a letter to be sent to the Travis County Legislative Delegation requesting their opposition to revenue cap reduction bills or amendments.

Members of the Court heard from: Ann Denkler, Executive Assistant, Travis County Commissioner Precinct 2 Office; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the letter related to revenue caps.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the letter regarding substitute language in Senate Bill 18.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Court discussed House Bill 930 (HB930): Relating to regional funding of indigent health care services; and House Bill 636 (HB636): Relating to county responsibility for indigent health care services.

Members of the Court heard from: David Salazar, Executive Assistant, TCHHS.

Discussion Only. No formal action taken.

Clerk’s Note: The Court discussed House Bill 470 (HB470) Relating to local delivery of aging, disability, behavioral health, and mental retardation services.

Members of the Court heard from: Chris Shields, Travis County Legislative Consultants.

Discussion Only. No formal action taken.

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

- 38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT DEMAND IN EXCESSIVE FORCE CLAIM AGAINST MICHAEL BOTELLO. ¹ (2:47 PM) (5:17 PM)

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to counter claim in the amount of \$15,000.00.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 39. DISCUSS AND TAKE APPROPRIATE ACTION ON CONTRACT WITH REPUBLIC OF TEXAS BIKER RALLY FOR 2005 EVENT. ¹ (2:47 PM) (5:19 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Jerry Bragg, Republic of Texas Biker Rally; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only. No formal action taken.

Item 39 to be reposted on April 19, 2005.

40. DISCUSS AND TAKE APPROPRIATE ACTION ON SECURITY ISSUES AT THE GAULT BUILDING. ⁴ (2:47 PM) (5:18 PM)

Clerk’s Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.076, Security.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the security issues presented to the Court with the one exception that we discussed in Executive Session, and that we also approve the budget transfer from allocated reserve in the amount of \$41,636.00, subject to approval by the Travis County Sheriff.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

41. CONSIDER AND TAKE APPROPRIATE ACTION ON ACQUISITION OF LAND FOR THE DEVELOPMENT OF TRAVIS COUNTY SOUTHWEST METROPOLITAN PARK PROJECT (CIP #01-B02-31-3PA). ^{1 & 2} (COMMISSIONER DAUGHERTY) (2:47 PM) (5:18 PM)

Clerk’s Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.072, Real Property.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to give directions to Staff to proceed to perform the necessary due diligence to move this project to a successful conclusion and to keep the Court posted of developments.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ADDED ITEM

A1. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(1:57 PM)

A. RESPONSE FROM GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT TO REQUEST TO HAVE TRAVIS COUNTY DECLARED A FEDERAL DISASTER AREA UNDER FEMA GUIDELINES AS A RESULT OF DAMAGE SUSTAINED ON FRIDAY, MARCH 25, 2005; AND

B. RECOMMENDATIONS FROM GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT REGARDING OTHER POSSIBLE RELIEF.

Clerk's Note: Items A1.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services;

Discussion Only. No formal action taken.

Items A1.A and B to be reposted on April 26, 2005.

